

**MINUTES OF THE CITY-COUNTY COUNCIL
AND
SPECIAL SERVICE DISTRICT COUNCILS
OF
INDIANAPOLIS, MARION COUNTY, INDIANA**

**REGULAR MEETINGS
MONDAY, APRIL 16, 2007**

The City-County Council of Indianapolis, Marion County, Indiana and the Indianapolis Police Special Service District Council, Indianapolis Fire Special Service District Council and Indianapolis Solid Waste Collection Special Service District Council convened in regular concurrent sessions in the Council Chamber of the City-County Building at 7:07 p.m. on Monday, April 16, 2007, with Councillor Gray presiding.

Councillor Bateman led the opening prayer and invited all present to join him in the Pledge of Allegiance to the Flag.

ROLL CALL

The President instructed the Clerk to take the roll call and requested members to register their presence on the voting machine. The roll call was as follows:

29 PRESENT: Abdullah, Bateman, Borst, Boyd, Brown, Cain, Cockrum, Conley, Day, Franklin, Gibson, Gray, Keller, Langsford, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Pryor, Randolph, Salisbury, Sanders, Schneider, Speedy, Vaughn

A quorum of twenty-nine members being present, the President called the meeting to order.

INTRODUCTION OF GUESTS AND VISITORS

President Gray introduced Jim Irsay, owner of the Indianapolis Colts; Kelvin Hayes, Colts player; Tony Dungy, Colts Coach; and Bill Polian, general manager of the Colts, who each thanked the Council and the community for their support in last season's SuperBowl win, and stated that they are looking forward to another great year ahead. President Gray thanked representatives for drawing positive attention to the City and wished them success in the 2008 season.

Councillor Cockrum recognized Council candidate Jeff Carter. Councillor Salisbury recognized former Judge Robert Lutz, Council candidate and Wayne Township Assessor, Michael McCormick. Councillor Brown recognized Earl Morgan, director of the Department of Public Safety; James Greeson, Chief of the Indianapolis Fire Department; Brian Sanford, Chief of the Warren Township Fire Department; Mike Reeves, Firefighters' Union; and Jeff Bennett, Warren

Township Trustee. Councillor Pfisterer stated that her brother is an instructor at Virginia Tech University, and she said that her prayers go out to all family and friends affected by today's shootings there. Councillor Keller recognized County Treasurer Mike Rodman.

OFFICIAL COMMUNICATIONS

The President called for the reading of Official Communications. The Clerk read the following:

TO ALL MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA

Ladies And Gentlemen :

You are hereby notified the REGULAR MEETINGS of the City-County Council and Police, Fire and Solid Waste Collection Special Service District Councils will be held in the City-County Building, in the Council Chambers, on Monday, April 16, 2007, at 7:00 p.m., the purpose of such MEETINGS being to conduct any and all business that may properly come before regular meetings of the Councils.

Respectfully,
s/Beurt SerVaas
President, City-County Council

March 29, 2007

TO PRESIDENT GRAY AND MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:

Ladies and Gentlemen:

Pursuant to the laws of the State of Indiana, I caused to be published in the *Court & Commercial Record* and in the *Indianapolis Star* on Monday, April 2, 2007, a copy of a Notice of Public Hearing on Proposal Nos. 108, 152, 153, 155-157, 159, 160, 162-169 and 175, 2007, said hearing to be held on Monday, April 16, 2007, at 7:00 p.m. in the City-County Building.

Respectfully,
s/Jean Ann Milharcic
Clerk of the City-County Council

March 29, 2007

TO PRESIDENT GRAY AND MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:

Ladies and Gentlemen:

I have approved with my signature and delivered this day to the Clerk of the City-County Council, Jean Ann Milharcic, the following ordinances:

FISCAL ORDINANCE NO. 15, 2007 – approves an increase of \$250,000 in the 2007 Budget of the Office of Finance and Management (City Cumulative Capital Fund) to replace the plumbing and make other repairs at the Historic City Market, which is undergoing renovations

FISCAL ORDINANCE NO. 18, 2007 - approves an increase of \$400,000 in the 2007 Budget of the Indianapolis Metropolitan Police Department and the Department of Public Safety, Fire Division (City Cumulative Capital Fund), to purchase approximately ten replacement vehicles each

FISCAL ORDINANCE NO. 19, 2007 - approves an appropriation of \$41,050 in the 2007 Budget of the Cable Communications Agency (Consolidated County Fund) to fund a public purpose grant to Indiana University for operational costs for the Educational Television Cooperative, such as line leases and engineering, financed by fund balance

GENERAL ORDINANCE NO. 4, 2007 - amends the Code to allow for parking meters that take payment other than coins and to define the manner of parking

GENERAL ORDINANCE NO. 5, 2007 – authorizes a change in the speed limit on 38th Street between Cold Springs Road and Michigan Road (District 8)

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GENERAL ORDINANCE NO. 6, 2007 – authorizes multi-way stops at Collingwood Drive and Walden Lane and 56th Street and Walden Lane (District 8)

GENERAL ORDINANCE NO. 7, 2007 – authorizes a multi-way stop at the intersection of 61st Street and Dearborn Street (District 4)

GENERAL ORDINANCE NO. 8, 2007 – authorizes no parking restrictions on Summit Street between Williams Street and Washington Street (District 16)

GENERAL ORDINANCE NO. 9, 2007 – authorizes intersection controls at Goodlet Avenue and Southern Avenue (District 19)

GENERAL ORDINANCE NO. 10, 2007 – authorizes no parking restrictions on Bethel Avenue near Wagner Lane (District 20)

GENERAL ORDINANCE NO. 11, 2007 – authorizes intersection controls for the Camby Village Subdivision, Section 1 (District 22)

GENERAL ORDINANCE NO. 12, 2007 – authorizes intersection controls for Wellingshire Boulevard and Tibbs Avenue (District 22)

GENERAL ORDINANCE NO. 13, 2007 – authorizes intersection controls for Copperwood at Wellingshire (District 22)

GENERAL ORDINANCE NO. 14, 2007 – authorizes intersection controls for the Villas of Lake Lakota at Wellingshire (District 22)

GENERAL ORDINANCE NO. 15, 2007 – authorizes a traffic signal for the intersection of Airport Expressway and Bradbury Avenue (District 22)

GENERAL ORDINANCE NO. 16, 2007 – authorizes a multi-way stop at Cinnamon Place and Tarragon Place (District 24)

GENERAL ORDINANCE NO. 17, 2007 – authorizes intersection controls for the Foxfire Subdivision, Sections 1 and 2 (District 25)

GENERAL ORDINANCE NO. 18, 2007 – authorizes intersection controls for the Flat Branch Subdivision (District 25)

GENERAL ORDINANCE NO. 19, 2007 – amends the Code to permit the county assessor to serve on the information technology board and who may serve by annually appointed proxy

GENERAL ORDINANCE NO. 20, 2007 – amends the Code to regulate the sale and resale of SuperBowl tickets

GENERAL RESOLUTION NO. 2, 2007 – authorizes the issuance of up to \$75 million in refunding bonds to generate savings and provide funds for capital projects

GENERAL RESOLUTION NO. 3, 2007 - agrees to support and provide resources necessary for the City of Indianapolis to host the SuperBowl

SPECIAL RESOLUTION NO. 22, 2007 – recognizes oral surgeon and part-time faculty member of Indiana University School of Dentistry, Dr. Lehman D. Adams, Jr.

SPECIAL RESOLUTION NO. 23, 2007 – recognizes Marian College for developing the Indianapolis Teaching Fellows program with Indianapolis Public Schools (IPS)

SPECIAL RESOLUTION NO. 24, 2007 – recognizes Marissa Manlove on her retirement from Noble of Indiana and wishes her much success in her new endeavor

SPECIAL RESOLUTION NO. 25, 2007 – recognizes Roger Burkman, Jack Keefer, Jim Krivacs, Larry "Jake" McIntyre, Landon Turner, Robert "Biscuit" Williams, and Randy Wittman on their induction to the 2007 Indiana Basketball Hall of Fame

SPECIAL RESOLUTION NO. 26, 2007 - recognizes Stephen Neidig on attaining the rank of Eagle Scout

SPECIAL RESOLUTION NO. 27, 2007 - an extension of the original Inducement Resolution for Pedcor Investments-2006-LXXXVIII, L.P. in an amount not to exceed \$15,000,000 for the acquisition and construction of a 220-unit affordable apartment community (Forest Ridge Apartment Community Project) situated on approximately 25 acres located southeast of the intersection of 79th Street and Township Line Road (District 2)

Respectfully,
s/Bart Peterson, Mayor

ADOPTION OF THE AGENDA

The President proposed the adoption of the agenda as distributed. Without objection, the agenda was adopted.

APPROVAL OF THE JOURNAL

The President called for additions or corrections to the Journal of March 26, 2007. There being no additions or corrections, the minutes were approved as distributed.

PRESENTATION OF PETITIONS, MEMORIALS, SPECIAL RESOLUTIONS, AND COUNCIL RESOLUTIONS

PROPOSAL NO. 197, 2007. The proposal, sponsored by Councillors Gray, Brown, Conley and Sanders, honors Telecommunicators, more commonly referred to as Dispatchers. Councillor Sanders read the proposal and moved, seconded by Councillor Brown, for adoption. Proposal No. 197, 2007 was adopted by a unanimous voice vote.

Proposal No. 197, 2007 was retitled SPECIAL RESOLUTION NO. 28, 2007, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 28, 2007

A SPECIAL RESOLUTION honoring Telecommunicators, more commonly referred to as Dispatchers.

WHEREAS, Telecommunicators are the vital link between citizens in need of Public Safety assistance and the responders necessary to mitigate the incident; and

WHEREAS, though not often thought of or recognized for their impact on an incident, Telecommunicators are highly trained and skilled professionals; and

WHEREAS, the Fire and EMS Telecommunicators are also specially trained to administer initial emergency medical care to patients who need assistance; and

WHEREAS, the manner in which a Telecommunicator handles an incident has great impact on shaping the incident from the beginning of a call through the end of the incident; and

WHEREAS, Telecommunicators regularly work nights, weekends, and holidays for minimal pay yet remain dedicated to ensuring that each citizen receives the best possible care; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council proudly recognizes the hard work and dedication of these professionals during National Telecommunicator week, April 8th through 14th, 2007.

SECTION 2. The Council heartily congratulates all Telecommunicators and applauds the outstanding employees for 2006 that will be recognized during this week.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 62, 2007. Councillor Mahern reported that the Metropolitan Development Committee heard Proposal No. 62, 2007 on April 2, 2007. The proposal, sponsored by Councillors Gray and Conley, reappoints K. Diane Guthrie to the Metropolitan Board of Zoning

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Appeals, Board III. By an 8-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Mahern moved, seconded by Councillor Gibson, for adoption. Proposal No. 62, 2007 was adopted by a unanimous voice vote.

Proposal No. 62, 2007 was retitled COUNCIL RESOLUTION NO. 51, 2007, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 51, 2007

A COUNCIL RESOLUTION re-appointing K. Diane Guthrie to the Metropolitan Board of Zoning Appeals, Board III.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Metropolitan Board of Zoning Appeals, Board III, the Council re-appoints:

K. Diane Guthrie

SECTION 2. The appointment made by this resolution is for a term ending December 31, 2007 or until the appointee's successor is appointed and qualified.

SECTION 3. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 100, 2007. Councillor Sanders reported that the Administration and Finance Committee heard Proposal No. 100, 2007 on April 3, 2007. The proposal, sponsored by Councillors Gray, Conley and Gibson, reappoints John Thompson to the City-County Administrative Board. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Sanders moved, seconded by Councillor Gibson, for adoption. Proposal No. 100, 2007 was adopted by a unanimous voice vote.

Proposal No. 100, 2007 was retitled COUNCIL RESOLUTION NO. 52, 2007, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 52, 2007

A COUNCIL RESOLUTION reappointing John Thompson to the City-County Administrative Board.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the City-County Administrative Board, the Council reappoints:

John Thompson

SECTION 2. The appointment made by this resolution is for a term ending on December 31, 2007 pursuant to Sec. 281-101 of the Revised Code of the City and County. The person appointed by this resolution shall serve at the pleasure of the Council or until a successor is appointed and qualifies.

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 130, 2007 Councillor Sanders reported that the Administration and Finance Committee heard Proposal No. 130, 2007 on March 27, 2007. The proposal, sponsored by Councillors Gray, Brown and Conley, appoints Richard Curry, Jr. to the Cable Franchise Board. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that

it do pass. Councillor Boyd moved, seconded by Councillor Sanders, for adoption. Proposal No. 130, 2007 was adopted by a unanimous voice vote.

Proposal No. 130, 2007 was retitled COUNCIL RESOLUTION NO. 53, 2007, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 53, 2007

A COUNCIL RESOLUTION reappointing Richard Curry, Jr. to the Cable Franchise Board.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Cable Franchise Board, the Council reappoints:

Richard Curry, Jr.

SECTION 2. The appointment made by this resolution is for a term ending December 31, 2008. The person appointed by this resolution shall serve at the pleasure of the council or until a successor is appointed and qualifies.

SECTION 3. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 131, 2007. Councillor Sanders reported that the Rules and Public Policy Committee heard Proposal No. 131, 2007 on March 27, 2007. The proposal, sponsored by Councillors Gray, Conley and Brown, appoints Doris Clark as a member of the Early Intervention Planning Council. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Boyd moved, seconded by Councillor Conley, for adoption. Proposal No. 131, 2007 was adopted by a unanimous voice vote.

Proposal No. 131, 2007 was retitled COUNCIL RESOLUTION NO. 54, 2007, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 54, 2007

A COUNCIL RESOLUTION appointing Doris Clark, a local provider and representative of Marion County community mental health providers, as a member of the Early Intervention Planning Council.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Early Intervention Planning Council, the Council appoints:

Doris Clark

SECTION 2. The appointment made by this resolution is for a term ending December 31, 2007.

SECTION 3. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

INTRODUCTION OF PROPOSALS

PROPOSAL NO. 183, 2007. Introduced by Councillors Mahern and Conley. The Clerk read the proposal entitled: "A Proposal for a Special Resolution which determines the need to lease approximately 70,000 square feet of space at 1200 South Madison Avenue for use by the Departments of Metropolitan Development and Public Works"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 184, 2007. Introduced by Councillor Franklin. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which appoints Joseph Williams to the Lawrence Economic Development Commission"; and the President referred it to the Economic Development Committee.

PROPOSAL NO. 185, 2007. Introduced by Councillors Abdualah and Conley. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which appoints Eric Essley to the Speedway Economic Development Commission"; and the President referred it to the Economic Development Committee.

PROPOSAL NO. 186, 2007. Introduced by Councillors Nytes, Conley, Gray and Gibson. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$25,000 in the 2007 Budget of the Office of Finance and Management (Landmark Building Preservation Fund) to pay for re-roof repairs of the Indiana Repertory Theater"; and the President referred it to the Economic Development Committee.

PROPOSAL NO. 187, 2007. Introduced by Councillors Moriarty Adams, Gray, Conley and Brown. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which appoints Christine Kerl, a probation officer, to the Marion County Community Corrections Advisory Board"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 189, 2007. Introduced by Councillors Moriarty Adams, Brown, Gray, Conley, Sanders and Randolph. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an appropriation of \$373,081 in the 2007 Budget of the Marion County Justice Agency (State and Federal Grants and Law Enforcement Funds) to fund the operations of the Metro Drug Task Force through the end of 2007, funded by a grant awarded by the Indiana Criminal Justice Agency (\$142,419) and Law Enforcement Fund balance (\$230,662)"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 190, 2007. Introduced by Councillors Moriarty Adams, McWhirter, Brown, Conley, Sanders, Gibson and Randolph. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves a transfer of \$57,904 in the 2007 Budget of the Indianapolis Metropolitan Police Department (Federal Grants and Non-Lapsing Federal Grants Funds) to pay for salaries and cell phone expenses for the Victim Assistance Unit and to purchase cameras for the Indianapolis/Marion County Camera Project under the Buffer Zone Protection Plan"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 191, 2007. Introduced by Councillors Moriarty Adams, Brown, Conley, Sanders and Randolph. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an appropriation of \$9,872 in the 2007 Budget of the Marion County Sheriff (State and Federal Grants Fund) to purchase bullet proof vests, financed by a grant from the U.S. Department of Justice Bulletproof Vest Partnership"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 192, 2007. Introduced by Councillors Moriarty Adams, McWhirter, Brown, Gray, Conley, Sanders and Randolph. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an appropriation of \$425,000 in the 2007 Budget of the Department of Public Safety, Emergency Management Planning Division (Non-Lapsing Federal Grants Fund), to fund a United States Army federal training exercise that will simulate a terrorist

attack in northern Marion County, financed by a grant from the U.S. Department of Homeland Security through the Indiana Department of Homeland Security"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 193, 2007. Introduced by Councillors Franklin, Oliver and Randolph. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$17,550 in the 2007 Budget of the Department of Public Safety, Animal Care and Control Division (Consolidated County Fund), to purchase dog beds and mobile cat cages for the animal shelter and pay for bus and billboard advertising for a public awareness campaign, financed by private donations and a transfer between characters"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 194, 2007. Introduced by Councillor Moriarty Adams. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes intersection controls at Audubon Road and 13th Street (District 17)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 195, 2007. Introduced by Councillors Gray, Conley and Sanders. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which appoints Tim Huber to the Common Construction Wage Committee for Decatur Township"; and the President referred it to the Rules and Public Policy Committee.

PROPOSAL NO. 196, 2007. Introduced by Councillors Gray, Brown, Conley and Sanders. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which appoints Lettie Oliver to the Council's County Salary Recommendation Panel"; and the President referred it to the Rules and Public Policy Committee.

SPECIAL ORDERS - PRIORITY BUSINESS

PROPOSAL NO. 188, 2007, PROPOSAL NO. 198, 2007, PROPOSAL NOS. 199-203, 2007, and PROPOSAL NOS. 204-205, 2007. Introduced by Councillor Mahern. Proposal No. 188, 2007, Proposal No. 198, 2007, Proposal Nos. 199-203, 2007 and Proposal Nos. 204-205, 2007 are proposals for Rezoning Ordinances certified by the Metropolitan Development Commission on April 3 and 5, 2007. The President called for any motions for public hearings on any of those zoning maps changes. There being no motions for public hearings, the proposed ordinances, pursuant to IC 36-7-4-608, took effect as if adopted by the City-County Council, were retitled for identification as REZONING ORDINANCE NOS. 28-36, 2007, the original copies of which ordinances are on file with the Metropolitan Development Commission, which were certified as follows:

REZONING ORDINANCE NO. 28, 2007.

2006-ZON-814

5560 AND 5630 BROOKVILLE ROAD (Approximate Address), INDIANAPOLIS

WARREN TOWNSHIP, COUNCILMANIC DISTRICT #21

ROBERT STOGSDILL requests rezoning of 0.344 acre, from the D-5 District, to the C-5 classification to provide for general commercial uses.

REZONING ORDINANCE NO. 29, 2007.

2006-ZON-147

2626 SUTHERLAND AVENUE (Approximate Address), INDIANAPOLIS

CENTER TOWNSHIP, COUNCILMANIC DISTRICT # 9

KEVIN B. GEBKE requests a rezoning of 0.941 acre, from the SU-6 District, to the D-8 classification to legally establish a single-family dwelling.

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REZONING ORDINANCE NO. 30, 2007.

2006-ZON-050

2202 WEST RAYMOND STREET (Approximate Address), INDIANAPOLIS

WAYNE TOWNSHIP, COUNCILMANIC DISTRICT # 19

KENDE, LLC D/B/A BUCKINGHAM PALLETS, by Joseph D. Calderon requests a rezoning of 4.013 acres, from the C-5 and I-4-S Districts, to the I-4-S classification to provide for heavy industrial suburban uses.

REZONING ORDINANCE NO. 31, 2007.

2006-ZON-123

8051 SOUTH EMERSON AVENUE (Approximate Address), INDIANAPOLIS

FRANKLIN TOWNSHIP, COUNCILMANIC DISTRICT # 25

SISTERS OF SAINT FRANCIS HEALTH SERVICES, INC., by Joseph D. Calderon requests a rezoning of 30.67 acres, from the HD-2 District, to the HD-1 classification to provide for expansion of the existing hospital complex.

REZONING ORDINANCE NO. 32, 2007.

2006-ZON-128

210 WEST 26TH STREET (Approximate Address), INDIANAPOLIS

CENTER TOWNSHIP, COUNCILMANIC DISTRICT # 15

KEVIN TEASLEY requests a rezoning of 1.54 acres, from the C-3 District, to the SU-2 classification to provide for school related uses.

REZONING ORDINANCE NO. 33, 2007.

2006-ZON-130

970 NORTH TIBBS AVENUE (Approximate Address), INDIANAPOLIS

WAYNE TOWNSHIP, COUNCILMANIC DISTRICT # 14

FAROOQ AHMED, by David Kingen requests rezoning of 0.17 acre, from the D-5 (W-5) District, to the C-3 (W-5) classification to provide for neighborhood commercial uses.

REZONING ORDINANCE NO. 34, 2007.

2006-ZON-142 1635, 1639, 1643, 1651 AND 1701 DR. A J BROWN AVENUE AND 1632, 1638, 1640, 1643, 1644, 1652, 1655, 1658, 1661, 1702, 1705, 1708, 1709, 1712, 1715, 1717, 1721 AND 1731 NORTH ARSENAL AVENUE (Approximate Address), INDIANAPOLIS

CENTER TOWNSHIP, COUNCILMANIC DISTRICT # 9

SAINT JOHNS MISSIONARY BAPTIST CHURCH, by David Kingen, requests a rezoning of 4.13 acres, from the SU-1, C-1, PK-1 and D-8 Districts, to the SU-1 classification to provide for the expansion of religious uses.

REZONING ORDINANCE NO. 35, 2007.

2007-ZON-007

1601, 1605 AND 1607 CORNELL AVENUE & 1010 EAST 16TH STREET (Approximate Address), INDIANAPOLIS

CENTER TOWNSHIP, COUNCILMANIC DISTRICT # 9

MICHAEL AND MONICA PEASON requests a rezoning of 0.258 acre, from the I-3-U District, to the D-8 classification to provide for residential uses.

REZONING ORDINANCE NO. 36, 2007.

2007-ZON-013

423 WEST SOUTH STREET (Approximate Address), INDIANAPOLIS

CENTER TOWNSHIP, COUNCILMANIC DISTRICT # 19

JEFFERY T. LAW requests rezoning of 0.522 acre, from the I-3-U (RC) District, to the CBD-2 (RC) classification to provide for central business district two uses.

SPECIAL ORDERS - PUBLIC HEARING

PROPOSAL NO. 108, 2007. Councillor Moriarty Adams reported that the Public Safety and Criminal Justice Committee heard Proposal No. 108, 2007 on March 7, 2007. The proposal, sponsored by Councillors Moriarty Adams, Brown, Conley and Gibson, approves an increase of \$450,000 in the 2007 budget of the Marion County Public Defender Agency (County General

Fund) to contract with approximately twenty five (25) attorneys to work part-time on cases involving termination of parental rights (TPR) and children in need of services (CHIN). By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

President Gray called for public testimony at 7:45 p.m. There being no one present to testify, Councillor Moriarty Adams moved, seconded by Councillor Gibson, for adoption. Proposal No. 108, 2007 was adopted on the following roll call vote; viz:

29 YEAS: *Abduallah, Bateman, Borst, Boyd, Brown, Cain, Cockrum, Conley, Day, Franklin, Gibson, Gray, Keller, Langsford, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Pryor, Randolph, Salisbury, Sanders, Schneider, Speedy*
0 NAYS:

Proposal No. 108, 2007 was retitled FISCAL ORDINANCE NO. 20, 2007, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 20, 2007

A FISCAL ORDINANCE amending the City-County Annual Budget for 2007 (City-County Fiscal Ordinance No. 89, 2006) appropriating Four Hundred Fifty Thousand Dollars (\$450,000) from the County General Fund for purposes of the Marion County Public Defender Agency and reducing the unappropriated and unencumbered balance of the County General Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.05 (b) of the City-County Annual Budget for 2007 be, and is hereby, amended by the increases and reductions hereinafter stated to allow the Marion County Public Defender Agency to contract with approximately twenty five (25) attorneys to work part time on cases involving termination of parental rights (TPR) and children in need of services (CHINS), financed by the County General fund balance.

SECTION 2. The sum of Four Hundred Fifty Thousand Dollars (\$450,000) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balance as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>PUBLIC DEFENDER AGENCY</u>	<u>COUNTY GENERAL FUND</u>
1. Personal Services	0
2. Supplies	0
3. Other Services and Charges	450,000
4. Capital Outlay	0
TOTAL INCREASE	450,000

SECTION 4. The said additional appropriation is funded by the following reductions:

	<u>COUNTY GENERAL FUND</u>
Unappropriated and Unencumbered	
County General Fund	450,000
TOTAL REDUCTION	450,000

SECTION 5. In accordance with Section 151-64 of the Revised Code of the Consolidated City and County, the following fund balance information is provided:

The 2006 fund balance for the County General fund, as depicted in the 2007 Budget Ordinance (F.O. 89, 2006, page 59) was estimated at \$1.64 million.

After deducting the appropriation included in this and other pending proposals, the 2007 ending fund balance for the Consolidated County Fund is estimated to be \$4.8 million.

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SECTION 6. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 152, 2007. Councillor Sanders reported that the Administration and Finance Committee heard Proposal No. 152, 2007 on April 3, 2007. The proposal, sponsored by Councillor Salisbury, approves an appropriation of \$7,927 in the 2007 Budget of the Wayne Township Assessor (Cumulative Capital Development Fund) to replace HVAC equipment. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

President Gray called for public testimony at 7:48 p.m. There being no one present to testify, Councillor Sanders moved, seconded by Councillor Conley, for adoption. Proposal No. 152, 2007 was adopted on the following roll call vote; viz:

27 YEAS: *Abduallah, Bateman, Borst, Boyd, Cain, Cockrum, Conley, Day, Franklin, Gibson, Gray, Keller, Langsford, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Pryor, Randolph, Salisbury, Sanders, Schneider, Speedy, Vaughn*
1 NAYS: *Brown*
1 NOT VOTING: *Mahern*

Proposal No. 152, 2007 was retitled FISCAL ORDINANCE NO. 21, 2007, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 21, 2007

A FISCAL ORDINANCE amending the City-County Annual Budget for 2007 (City-County Fiscal Ordinance No. 89, 2006) appropriating Seven Thousand Nine Hundred Twenty-Seven Dollars (\$7,927) in the Marion County Cumulative Capital Development Fund for purposes of the Wayne Township Assessor.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.04 (l) of the City-County Annual Budget for 2007 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Wayne Township Assessor to replace HVAC equipment, financed by fund balance.

SECTION 2. The sum of Seven Thousand Nine Hundred Twenty-Seven Dollars (\$7,927) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the appropriated balance as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>WAYNE TOWNSHIP ASSESSOR</u>	<u>CUMULATIVE CAPITAL DEVELOPMENT FUND</u>
1. Personal Services	0
2. Supplies	0
3. Other Services and Charges	0
4. Capital Outlay	<u>7,927</u>
TOTAL DECREASE	7,927

SECTION 4. The said additional appropriation is funded by the following reductions:

	<u>CUMULATIVE CAPITAL DEVELOPMENT FUND</u>
Unappropriated and Unencumbered	
Cumulative Capital Development Fund	<u>7,927</u>
TOTAL REDUCTION	7,927

SECTION 5. In accordance with section 151-64 of the revised code of the Consolidated City and County, the following fund balance information is provided:

The 2006 fund balance for the Marion County Cumulative Capital Development Fund, as depicted in the 2007 Budget Ordinance (FO 89, 2006 page 77) was estimated at \$2.82 million.

After deducting the appropriation included in this and other pending proposals, the 2007 ending fund balance for the Marion County Cumulative Capital Development Fund is estimated to be \$2.05 million.

SECTION 6. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14

PROPOSAL NO. 153, 2007. Councillor Sanders reported that the Administration and Finance Committee heard Proposal No. 152, 2007 on April 3, 2007. The proposal, Councillor Plowman, approves an appropriation of \$6,300 in the 2007 Budget of the Franklin Township Assessor (County General Fund) to pay for telephone service. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

President Gray called for public testimony at 7:49 p.m. There being no one present to testify, Councillor Sanders moved, seconded by Councillor Conley, for adoption. Proposal No. 153, 2007 was adopted on the following roll call vote; viz:

27 YEAS: *Abduallah, Bateman, Borst, Cain, Cockrum, Conley, Day, Franklin, Gibson, Gray, Keller, Langsford, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Pryor, Randolph, Salisbury, Sanders, Schneider, Speedy, Vaughn*
2 NAYS: *Boyd, Brown*

Proposal No. 153, 2007 was retitled FISCAL ORDINANCE NO. 22, 2007, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 22, 2007

A FISCAL ORDINANCE amending the City-County Annual Budget for 2007 (City-County Fiscal Ordinance No. 89, 2006) appropriating Six Thousand Three Hundred Dollars (\$6,300) in the County General Fund for purposes of the Franklin Township Assessor.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.04 (f) of the City-County Annual Budget for 2007 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Franklin Township Assessor to pay for telephone services, financed by fund balance.

SECTION 2. The sum of Six Thousand Three Hundred Dollars (\$6,300) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the appropriated balance as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>FRANKLIN TOWNSHIP ASSESSOR</u>	<u>COUNTY GENERAL FUND</u>
1. Personal Services	0
2. Supplies	0
3. Other Services and Charges	6,300
4. Capital Outlay	0
TOTAL DECREASE	6,300

SECTION 4. The said additional appropriation is funded by the following reductions:

	<u>COUNTY GENERAL FUND</u>
Unappropriated and Unencumbered	
County General Fund	6,300
TOTAL REDUCTION	6,300

SECTION 5. In accordance with section 151-64 of the revised code of the Consolidated City and County, the following fund balance information is provided:

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The 2006 fund balance for the County General Fund, as depicted in the 2007 Budget Ordinance (FO 89, 2006 page 59) was estimated at \$1.64 million.

After deducting the appropriation included in this and other pending proposals, the 2007 ending fund balance for the Consolidated County Fund is estimated to be \$4.8 million.

SECTION 6. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14

Councillor Brown reported that the Parks and Recreation Committee heard Proposal Nos. 155-157, 2007 on March 29, 2007. He asked for consent to vote on these proposals together. Consent was given.

PROPOSAL NO. 155, 2007. The proposal, sponsored by Councillors Brown, Mahern, Conley, Gray, Sanders and Gibson, approves an appropriation of \$23,360 in the 2007 Budget of the Department of Parks and Recreation (Parks General Fund) to fund after school activities related to drug prevention at numerous school sites (\$13,940 grant from Drug Free Marion County); to expand tennis programs at four IPS schools (\$1,500 grant from the Central Indiana Tennis Association); and to fund salaries for three seasonal staff to assist in administering the summer lunch program at various sites (\$7,920 grant from the Hoover Family Foundation). PROPOSAL NO. 156, 2007. The proposal, sponsored by Councillors Brown, Mahern, Gray, Conley and Sanders, approves an appropriation of \$40,000 in the 2007 Budget of the Department of Parks and Recreation (Non-Lapsing State Grants Fund) to pay for resurfacing tennis courts at Garfield park using waste tire asphalt (\$30,000 grant from the Indiana Department of Environmental Management); and to plant trees at Talbot and 29th, John Ed, and Ross Claypool parks (\$10,000 grant from the Indiana Department of Natural Resources) in association with the Alcoa Foundation and the Rupert's Kids Foundation. PROPOSAL NO. 157, 2007. The proposal, sponsored by Councillors Mahern, Brown, Gray, Conley and Sanders, approves an appropriation of \$129,875 in the 2007 Budget of the Department of Parks and Recreation (Non-Lapsing Federal Grants Fund) to repair and expand the trail system at Southeastway Park, funded by a federal Recreational Trails Program grant administered by the Indiana Department of Natural Resources. By 7-0 votes, the Committee reported the proposals to the Council with the recommendation that they do pass.

President Gray called for public testimony at 7:56 p.m. There being no one present to testify, Councillor Brown moved, seconded by Councillor Mahern, for adoption. Proposal Nos. 155-157, 2007 were adopted on the following roll call vote; viz:

29 YEAS: *Abduallah, Bateman, Borst, Boyd, Brown, Cain, Cockrum, Conley, Day, Franklin, Gibson, Gray, Keller, Langsford, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Pryor, Randolph, Salisbury, Sanders, Schneider, Speedy*
0 NAYS:

Proposal No. 155, 2007 was retitled FISCAL ORDINANCE NO. 23, 2007, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 23, 2007

A FISCAL ORDINANCE amending the City-County Annual Budget for 2007 (City-County Fiscal Ordinance No. 89, 2006) appropriating Twenty-Three Thousand Three Hundred Sixty Dollars (\$23,360) in the Parks General Fund for purposes of the Department of Parks and Recreation, and reducing certain other accounts for that agency.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.01 (l) of the City-County Annual Budget for 2006 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Department of Parks and Recreation, to fund after school activities related to drug prevention at numerous school sites (\$13,940 from Drug Free Marion County); to expand tennis programs at 4 IPS schools (\$1,500 from the Central Indiana Tennis Association); and to fund salaries for three seasonal staff to assist in administering the summer lunch program at various sites (\$7,920 from the Hoover Family Foundation.)

SECTION 2. The sum of Twenty-Three Thousand Three Hundred Sixty Dollars (\$23,360) be, and the same is hereby transferred and appropriated for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>DEPARTMENT OF PARKS AND RECREATION</u>	<u>PARKS GENERAL FUND</u>
1. Personal Services	7,920
2. Supplies	458
3. Other Services and Charges	14,982
4. Capital Outlay	0
5. Internal Charges	<u>0</u>
TOTAL INCREASE	23,360

SECTION 4. The said increased appropriation is funded by the following reductions:

	<u>PARKS GENERAL FUND</u>
Unappropriated and Unencumbered	
Parks General Fund	<u>23,360</u>
TOTAL REDUCTION	23,360

SECTION 5. No match is required for these grants.

SECTION 6 Section 5.02 (j) of fiscal ordinance 89, 2006, which was later amended by fiscal ordinance 8, 2007, section 7, is hereby amended as follows:

<u>Position Type</u>	<u>2007 FTE</u>
Full Time (Biweekly) FTE	170.00
Part Time FTE	66.78
Union FTE	90.00
Seasonal Staff FTE	113.43 <u>113.91</u>
Parks & Recreation Total	440.21 <u>440.69</u>

SECTION 7. Except to the extent of matching funds, if any, approved in this ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the controller are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

SECTION 8. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 156, 2007 was retitled FISCAL ORDINANCE NO. 24, 2007, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 24, 2007

A FISCAL ORDINANCE amending the City-County Annual Budget for 2007 (City-County Fiscal Ordinance No. 89, 2006) appropriating Forty Thousand Dollars (\$40,000) in the Non-lapsing State Grants Fund for purposes of the Department of Parks and Recreation, and reducing certain other accounts for that agency.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.01 (l) of the City-County Annual Budget for 2006 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Department of Parks and Recreation to

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pay for resurfacing tennis courts at Garfield Park using waste tire asphalt, financed by a \$30,000 grant from the Indiana Department of Environmental Management; and to plant trees at Talbot and 29th, John Ed, and Ross Claypool parks, financed by a \$10,000 grant from the Indiana Department of Natural Resources, in association with the Alcoa Foundation and the Rupert's Kids Foundation.

SECTION 2. The sum of Forty Thousand Dollars (\$40,000) be, and the same is hereby transferred and appropriated for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>DEPARTMENT OF PARKS AND RECREATION</u>	<u>NON-LAPSING STATE GRANTS FUND</u>
1. Personal Services	0
2. Supplies	10,000
3. Other Services and Charges	0
4. Capital Outlay	30,000
5. Internal Charges	<u>0</u>
TOTAL INCREASE	40,000

SECTION 4. The said increased appropriation is funded by the following reductions:

	<u>NON-LAPSING STATE GRANTS FUND</u>
Unappropriated and Unencumbered	
Non-Lapsing State Grants Fund	<u>40,000</u>
TOTAL REDUCTION	40,000

SECTION 5. The grant of \$30,000 from IDEM requires a 50/50 local match. The source of the Parks Department's local matching funds will be the 2007 appropriation from the City Cumulative Capital Fund. The \$10,000 grant also requires a 50/50 match, but in-kind expenses such as staff time and volunteer labor meet the match requirement.

SECTION 6. Except to the extent of matching funds, if any, approved in this ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the controller are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

SECTION 7. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 157, 2007 was retitled FISCAL ORDINANCE NO. 25, 2007, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 25, 2007

A FISCAL ORDINANCE amending the City-County Annual Budget for 2007 (City-County Fiscal Ordinance No. 89, 2006) appropriating One Hundred Twenty-Nine Thousand Eight Hundred Seventy-five Dollars (\$129,875) in the Non-lapsing Federal Grants Fund for purposes of the Department of Parks and Recreation, and reducing certain other accounts for that agency.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.01 (l) of the City-County Annual Budget for 2006 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Department of Parks and Recreation to repair and expand the trail system at Southeastway Park, funded by a federal Recreational Trails Program grant administered by the Indiana Department of Natural Resources.

SECTION 2. The sum of One Hundred Twenty-Nine Thousand Eight Hundred Seventy-five Dollars (\$129,875) be, and the same is hereby transferred and appropriated for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>DEPARTMENT OF PARKS AND RECREATION</u>	<u>NON-LAPSING FEDERAL GRANTS FUND</u>
1. Personal Services	0
2. Supplies	0
3. Other Services and Charges	0
4. Capital Outlay	129,875
5. Internal Charges	<u>0</u>
TOTAL INCREASE	129,875

SECTION 4. The said increased appropriation is funded by the following reductions:

	<u>NON-LAPSING FEDERAL GRANTS FUND</u>
Unappropriated and Unencumbered	
Non-Lapsing Federal Grants Fund	<u>129,875</u>
TOTAL REDUCTION	129,875

SECTION 5. The grant requires a 20% local match. The source of the Parks Department's local matching funds will be the 2007 appropriation from the City Cumulative Capital Fund.

SECTION 6. Except to the extent of matching funds, if any, approved in this ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the controller are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

SECTION 7. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Councillor Moriarty Adams reported that the Public Safety and Criminal Justice Committee heard Proposal Nos. 159 and 160, 2007 on March 28, 2007. She asked for consent to vote on these proposals together. Consent was given.

PROPOSAL NO. 159, 2007. The proposal, sponsored by Councillors Moriarty Adams, Conley, Sanders and Gray, approves an appropriation of \$32,500 for the Marion County Community Corrections Agency (Home Detention User Fee Fund) to hire a maintenance supervisor for the community corrections facility at 147 East Maryland Street. PROPOSAL NO. 160, 2007. The proposal, sponsored by Councillors Franklin, Conley, Gray, Sanders and Brown, appropriates \$85,566 in the 2007 Budget of the Marion County Forensic Services Agency (State and Federal Grants Fund) to make improvements within the Marion County Crime Lab by upgrading computer software and adding equipment to the drug chemistry lab, financed by a U.S. Department of Justice grant administered by the Indiana Criminal Justice Institute. By 7-0 votes, the Committee reported the proposals to the Council with the recommendation that they do pass.

President Gray called for public testimony at 8:15 p.m. There being no one present to testify, Councillor Moriarty Adams moved, seconded by Councillor Conley, for adoption. Proposal Nos. 159-160, 2007 were adopted on the following roll call vote; viz:

29 YEAS: Abdullah, Bateman, Borst, Boyd, Brown, Cain, Cockrum, Conley, Day, Franklin, Gibson, Gray, Keller, Langsford, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Pryor, Randolph, Salisbury, Sanders, Schneider, Speedy
0 NAYS:

Proposal No. 159, 2007 was retitled FISCAL ORDINANCE NO. 26, 2007, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 26, 2007

A FISCAL ORDINANCE amending the City-County Annual Budget for 2007 (City-County Fiscal Ordinance No. 89, 2006) appropriating Thirty-Two Thousand Five Hundred Dollars (\$32,500) in the Home

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Detention User Fee fund for purposes of the Marion County Community Corrections Agency and reducing certain other accounts for that agency.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.06 (c) of the City-County Annual Budget for 2007 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Marion County Community Corrections Agency to hire a maintenance supervisor for the community corrections facility at 147 E. Maryland Street, financed by fund balance.

SECTION 2. The sum of Thirty-Two Thousand Five Hundred Dollars (\$32,500) be, and the same is hereby transferred and appropriated for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>COMMUNITY CORRECTIONS AGENCY</u>	<u>HOME DETENTION USER FEE FUND</u>
1. Personal Services	32,500
2. Supplies	0
3. Other Services and Charges	0
4. Capital Outlay	0
5. Internal Charges	0
TOTAL INCREASE	32,500

SECTION 4. The said increased appropriation is funded by the following reductions:

	<u>HOME DETENTION USER FEE FUND</u>
Unappropriated and Unencumbered	
Home Detention User Fee Fund	32,500
TOTAL REDUCTION	32,500

SECTION 5. In accordance with section 151-64 of the revised code of the Consolidated City and County, the following fund balance information is provided:

The 2006 ending fund balance for the Home Detention User Fee fund, as depicted in the 2007 budget ordinance (FO 89, 2006 page 75) was estimated to be \$742,708. Taking into consideration this fiscal proposal and other pending proposals, the fund balance as of December 31, 2007 is projected to be \$123,039.

SECTION 6. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 160, 2007 was retitled FISCAL ORDINANCE NO. 27, 2007, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 27, 2007

A FISCAL ORDINANCE amending the City-County Annual Budget for 2007 (City-County Fiscal Ordinance No. 89, 2006) appropriating Eighty-Five Thousand Five Hundred Sixty-six Dollars (\$85,566) in the State and Federal Grants Fund for purposes of the Marion County Forensic Services Agency and reducing the unappropriated and unencumbered balance in the State and Federal Grants Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.06 (a) of the City-County Annual Budget for 2007 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Marion County Forensic Services Agency to make improvements within the Marion County Crime Lab by upgrading computer software and adding equipment to the drug chemistry lab, financed by a U.S. Department of Justice, administered by the Indiana Criminal Justice Institute.

SECTION 2. The sum of Eighty-Five Thousand Five Hundred Sixty-six Dollars (\$85,566) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balance as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>MARION COUNTY FORENSIC SERVICES AGENCY</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
1. Personal Services	0
2. Supplies	0
3. Other Services and Charges	39,143
4. Capital Outlay	<u>46,423</u>
TOTAL INCREASE	85,566

SECTION 4. The said additional appropriation is funded by the following reductions:

	<u>STATE AND FEDERAL GRANTS FUND</u>
Unappropriated and Unencumbered	
State and Federal Grants Fund	<u>85,566</u>
TOTAL REDUCTION	85,566

SECTION 5. There is no local match required.

SECTION 6. Except to the extent of matching funds approved in the ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the controller are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

SECTION 7. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Councillor Conley reported that the Public Works Committee heard Proposal Nos. 162-169, 2007 on April 5, 2007. He asked for consent to vote on these proposals together. Consent was given.

PROPOSAL NO. 162, 2007. The proposal, sponsored by Councillors Conley, Moriarty Adams, Keller, Gray, Sanders and Brown, approves an appropriation of \$1,800,000 in the 2007 Budget of the Department of Public Works (Transportation General Fund) to restore funds used for snow fighting and street repair, including salt, asphalt and other supplies, plus snow removal contracts with private operators. PROPOSAL NO. 163, 2007. The proposal, sponsored by Councillors Conley, Moriarty Adams, Keller, Sanders, Gray and Brown, approves an appropriation of \$30,000 in the 2007 Budget of the Department of Public Works (Non-Lapsing State Grants Fund) to collect and dispose of hazardous materials, particularly mercury, financed by a grant from the Indiana Department of Environmental Management. PROPOSAL NO. 164, 2007. The proposal, sponsored by Councillors Conley, Moriarty Adams, Keller, Sanders, Gray and Mahern, approves an appropriation of \$5,750,000 in the 2007 Budget of the Department of Public Works (Transportation General Fund) to begin Phase 1 construction of the downtown Cultural Trail, funded by a grant from the Central Indiana Community Foundation. PROPOSAL NO. 165, 2007. The proposal, sponsored by Councillors Conley, Moriarty Adams, Keller and Sanders, approves an appropriation of \$2,400,000 in the 2007 Budget of the Department of Public Works (Non-Lapsing Federal Grants Fund) for the land acquisition phase of the Washington Street/Ohio Street/Market Street/I-65/I-70 interchange project, funded by a federal earmark of funds allocated to the State of Indiana. PROPOSAL NO. 166, 2007. The proposal, sponsored by Councillors Conley, Moriarty Adams, Keller, Sanders and Gray, approves an appropriation of \$80,000 in the 2007 Budget of the Department of Public Works (Solid Waste Disposal Fund) for operation and maintenance of the Belmont Ash Monofil. PROPOSAL NO. 167, 2007. The proposal, sponsored by Councillors Conley, Moriarty Adams, Keller, Sanders and Gray, approves an appropriation of \$5,750,000 in the 2007 Budget of the Department of Public Works (Stormwater Management Utility Fund) for stormwater related maintenance costs and for stormwater capital

improvements set to bid in 2007. PROPOSAL NO. 168, 2007. The proposal, sponsored by Councillors Conley, Moriarty Adams, Keller, Brown, Gray, Sanders, Gibson and Nytes, approves an appropriation of \$5,000,000 in the 2007 Budget of the Department of Public Works (Transportation General Fund) to reduce the backlog of requests for curb/sidewalk/ramp repairs and for street resurfacing projects. PROPOSAL NO. 169, 2007. The proposal, sponsored by Councillors Conley, Moriarty Adams, Keller, Gray and Sanders, approves an appropriation of \$2,000,000 in the 2007 Budget of the Department of Public Works (Sanitation Liquid Waste Fund) for sewer related expenses in connection with the expansion of the Indianapolis International Airport and its impact on the Bridgeport Interceptor, financed by the Sanitation General Fund balance and \$1.1 million for sewer relocation expenses incurred in connection with work performed by the State for I-70 and I-465 reconstruction work, financed by reimbursements from the State of Indiana. By 8-0 votes, the Committee reported the proposals to the Council with the recommendation that they do pass.

President Gray called for public testimony at 8:12 p.m. There being no one present to testify, Councillor Conley moved, seconded by Councillor Cockrum, for adoption. Proposal Nos. 162-169, 2007 were adopted on the following roll call vote; viz:

29 YEAS: Abdullah, Bateman, Borst, Boyd, Brown, Cain, Cockrum, Conley, Day, Franklin, Gibson, Gray, Keller, Langsford, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Pryor, Randolph, Salisbury, Sanders, Schneider, Speedy
0 NAYS:

Proposal No. 162, 2007 was retitled FISCAL ORDINANCE NO. 28, 2007, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 28, 2007

A FISCAL ORDINANCE amending the City-County Annual Budget for 2007 (City-County Fiscal Ordinance No. 89, 2006) appropriating One Million Eight Hundred Thousand Dollars (\$1,800,000) in the Transportation General Fund for purposes of the Department of Public Works, and reducing certain other accounts for that agency.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.01 (j) of the City-County Annual Budget for 2007 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Department of Public Works to restore funds used for snow fighting and street repair, including salt, asphalt and other supplies, plus snow removal contracts with private operators, financed by fund balance.

SECTION 2. The sum of One Million Eight Hundred Thousand Dollars (\$1,800,000) be, and the same is hereby transferred and appropriated for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>DEPARTMENT OF PUBLIC WORKS</u>	<u>TRANSPORTATION GENERAL FUND</u>
1. Personal Services	0
2. Supplies	1,500,000
3. Other Services and Charges	300,000
4. Capital Outlay	0
5. Internal Charges	0
TOTAL INCREASE	1,800,000

SECTION 4. The said increased appropriation is funded by the following reductions:

	<u>TRANSPORTATION GENERAL FUND</u>
Unappropriated and Unencumbered	
Transportation General Fund	<u>1,800,000</u>
TOTAL REDUCTION	1,800,000

SECTION 5. In accordance with section 151-64 of the revised code of the Consolidated City and County, the following fund balance information is provided:

The 2006 ending fund balance for the Transportation General Fund, as depicted in the 2007 budget ordinance (FO 89, 2006 page 49) was estimated to be \$13.4 million. Taking into consideration this fiscal proposal and other pending proposals, the fund balance is projected to be \$2.58 million.

SECTION 6. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 163, 2007 was retitled FISCAL ORDINANCE NO. 29, 2007, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 29, 2007

A FISCAL ORDINANCE amending the City-County Annual Budget for 2007 (City-County Fiscal Ordinance No. 89, 2006) appropriating Thirty Thousand Dollars (\$30,000) in the Non-lapsing State Grants Fund for purposes of the Department of Public Works, and reducing certain other accounts for that agency.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.01 (j) of the City-County Annual Budget for 2007 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Department of Public Works to collect and dispose of hazardous materials, particularly mercury, financed by a grant from the Indiana Department of Environmental Management.

SECTION 2. The sum of Thirty Thousand Dollars (\$30,000) be, and the same is hereby transferred and appropriated for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>DEPARTMENT OF PUBLIC WORKS</u>	<u>NON-LAPSING STATE GRANTS FUND</u>
1. Personal Services	0
2. Supplies	2,000
3. Other Services and Charges	28,000
4. Capital Outlay	0
5. Internal Charges	<u>0</u>
TOTAL INCREASE	30,000

SECTION 4. The said increased appropriation is funded by the following reductions:

	<u>NON-LAPSING STATE GRANTS FUND</u>
Unappropriated and Unencumbered	
Non-Lapsing State Grants Fund	<u>30,000</u>
TOTAL REDUCTION	30,000

SECTION 5. A 50% match is required for this grant.

SECTION 6. Except to the extent of matching funds, if any, approved in this ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the controller are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

SECTION 7. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

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Proposal No. 164, 2007 was retitled FISCAL ORDINANCE NO. 30, 2007, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 30, 2007

A FISCAL ORDINANCE amending the City-County Annual Budget for 2007 (City-County Fiscal Ordinance No. 89, 2006) appropriating Five Million Seven Hundred Fifty Thousand Dollars (\$5,750,000) in the Transportation General Fund for purposes of the Department of Public Works, and reducing certain other accounts for that agency.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.01 (j) of the City-County Annual Budget for 2007 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Department of Public Works to begin phase 1 construction of the downtown Cultural Trail, funded by a grant from the Central Indiana Community Foundation. No match is required for this grant.

SECTION 2. The sum of Five Million Seven Hundred Fifty Thousand Dollars (\$5,750,000) be, and the same is hereby transferred and appropriated for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>DEPARTMENT OF PUBLIC WORKS</u>	<u>TRANSPORTATION GENERAL FUND</u>
1. Personal Services	0
2. Supplies	0
3. Other Services and Charges	0
4. Capital Outlay	5,750,000
5. Internal Charges	0
TOTAL INCREASE	5,750,000

SECTION 4. The said increased appropriation is funded by the following reductions:

	<u>TRANSPORTATION GENERAL FUND</u>
Unappropriated and Unencumbered	
Transportation General Fund	5,750,000
TOTAL REDUCTION	5,750,000

SECTION 5. In accordance with section 151-64 of the revised code of the Consolidated City and County, the following fund balance information is provided:

The 2006 ending fund balance for the Transportation General Fund, as depicted in the 2007 budget ordinance (FO 89, 2006 page 49) was estimated to be \$13.4 million. Taking into consideration this fiscal proposal and other pending proposals, the fund balance is projected to be \$2.58 million.

SECTION 6. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 165, 2007 was retitled FISCAL ORDINANCE NO. 31, 2007, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 31, 2007

A FISCAL ORDINANCE amending the City-County Annual Budget for 2007 (City-County Fiscal Ordinance No. 89, 2006) appropriating Two Million Four Hundred Thousand Dollars (\$2,400,000) in the Non-Lapsing Federal Grants Fund for purposes of the Department of Public Works, and reducing certain other accounts for that agency.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.01 (j) of the City-County Annual Budget for 2007 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Department of Public Works for the land

acquisition, including utility relocation and railroad force account work, phase of the Washington Street/Ohio Street/Market Street/I-65/I-70 interchange project, funded by a federal earmark of funds allocated to the State of Indiana.

SECTION 2. The sum of Two Million Four Hundred Thousand Dollars (\$2,400,000) be, and the same is hereby transferred and appropriated for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>DEPARTMENT OF PUBLIC WORKS</u>	<u>NON-LAPSING FEDERAL GRANTS FUND</u>
1. Personal Services	0
2. Supplies	0
3. Other Services and Charges	900,000
4. Capital Outlay	1,500,000
5. Internal Charges	<u>0</u>
TOTAL INCREASE	2,400,000

SECTION 4. The said increased appropriation is funded by the following reductions:

	<u>NON-LAPSING FEDERAL GRANTS FUND</u>
Unappropriated and Unencumbered	
Non-Lapsing Federal Grants Fund	<u>2,400,000</u>
TOTAL REDUCTION	2,400,000

SECTION 5. No match is required for this grant.

SECTION 6. Except to the extent of matching funds, if any, approved in this ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the controller are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

SECTION 7. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 166, 2007 was retitled FISCAL ORDINANCE NO. 32, 2007, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 32, 2007

A FISCAL ORDINANCE amending the City-County Annual Budget for 2007 (City-County Fiscal Ordinance No. 89, 2006) appropriating Eighty-Eight Thousand Dollars (\$88,000) in the Solid Waste Disposal Fund for purposes of the Department of Public Works, and reducing certain other accounts for that agency.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.01 (j) of the City-County Annual Budget for 2007 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Department of Public Works for operation and maintenance of the Belmont Ash Monofil, financed by fund balance.

SECTION 2. The sum of Eighty-Eight Thousand Dollars (\$88,000) be, and the same is hereby transferred and appropriated for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>DEPARTMENT OF PUBLIC WORKS</u>	<u>SOLID WASTE DISPOSAL FUND</u>
1. Personal Services	0
2. Supplies	0
3. Other Services and Charges	88,000
4. Capital Outlay	0
5. Internal Charges	<u>0</u>
TOTAL INCREASE	88,000

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SECTION 4. The said increased appropriation is funded by the following reductions:

	<u>SOLID WASTE DISPOSAL FUND</u>
Unappropriated and Unencumbered	
Solid Waste Disposal Fund	<u>88,000</u>
TOTAL REDUCTION	88,000

SECTION 5. In accordance with section 151-64 of the revised code of the Consolidated City and County, the following fund balance information is provided:

The 2006 ending fund balance for the Solid Waste Disposal Fund, as depicted in the 2007 budget ordinance (FO 89, 2006 page 46) was estimated to be \$4.1 million. Taking into consideration this fiscal proposal and other pending proposals, the fund balance as of December 31, 2007 is projected to be \$5.8 million.

SECTION 6. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 167, 2007 was retitled FISCAL ORDINANCE NO. 33, 2007, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 33, 2007

A FISCAL ORDINANCE amending the City-County Annual Budget for 2007 (City-County Fiscal Ordinance No. 89, 2006) appropriating Five Million Seven Hundred Fifty Thousand Dollars (\$5,750,000) in the Stormwater Management Utility Fund for purposes of the Department of Public Works, and reducing certain other accounts for that agency.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.01 (j) of the City-County Annual Budget for 2007 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Department of Public Works for stormwater related maintenance costs (\$750,000), and for Stormwater capital improvements set to bid in 2007 (\$5,000,000), financed by fund balance.

SECTION 2. The sum of Five Million Seven Hundred Fifty Thousand Dollars (\$5,750,000) be, and the same is hereby transferred and appropriated for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>DEPARTMENT OF PUBLIC WORKS</u>	<u>STORMWATER MANAGEMENT UTILITY FUND</u>
1. Personal Services	0
2. Supplies	0
3. Other Services and Charges	750,000
4. Capital Outlay	5,000,000
5. Internal Charges	<u>0</u>
TOTAL INCREASE	5,750,000

SECTION 4. The said increased appropriation is funded by the following reductions:

	<u>STORMWATER MANAGEMENT UTILITY FUND</u>
Unappropriated and Unencumbered	
Stormwater Management Utility Fund	<u>5,750,000</u>
TOTAL REDUCTION	5,750,000

SECTION 5. In accordance with section 151-64 of the revised code of the Consolidated City and County, the following fund balance information is provided:

The 2006 ending fund balance for the Stormwater Management Utility Fund, as depicted in the 2007 budget ordinance (FO 89, 2006 page 47) was estimated to be \$12.25 million. Taking into consideration this fiscal proposal and other pending proposals, the fund balance as of December 31, 2007 is projected to be \$14.07 million.

SECTION 6. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 168, 2007 was retitled FISCAL ORDINANCE NO. 34, 2007, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 34, 2007

A FISCAL ORDINANCE amending the City-County Annual Budget for 2007 (City-County Fiscal Ordinance No. 89, 2006) appropriating Five Million Dollars (\$5,000,000) in the Transportation General Fund for purposes of the Department of Public Works, and reducing certain other accounts for that agency.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.01 (j) of the City-County Annual Budget for 2007 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Department of Public Works to reduce the backlog of requests for curb/sidewalk/ramp repairs, and for street resurfacing projects, financed by fund balance.

SECTION 2. The sum of Five Million Dollars (\$5,000,000) be, and the same is hereby transferred and appropriated for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>DEPARTMENT OF PUBLIC WORKS</u>	<u>TRANSPORTATION GENERAL FUND</u>
1. Personal Services	0
2. Supplies	0
3. Other Services and Charges	0
4. Capital Outlay	5,000,000
5. Internal Charges	0
TOTAL INCREASE	5,000,000

SECTION 4. The said increased appropriation is funded by the following reductions:

	<u>TRANSPORTATION GENERAL FUND</u>
Unappropriated and Unencumbered	
Transportation General Fund	5,000,000
TOTAL REDUCTION	5,000,000

SECTION 5. In accordance with section 151-64 of the revised code of the Consolidated City and County, the following fund balance information is provided:

The 2006 ending fund balance for the Transportation General Fund, as depicted in the 2007 budget ordinance (FO 89, 2006 page 49) was estimated to be \$13.4 million. Taking into consideration this fiscal proposal and other pending proposals, the fund balance is projected to be \$2.58 million.

SECTION 6. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 169, 2007 was retitled FISCAL ORDINANCE NO. 35, 2007, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 35, 2007

A FISCAL ORDINANCE amending the City-County Annual Budget for 2007 (City-County Fiscal Ordinance No. 89, 2006) appropriating Two Million Dollars (\$2,000,000) in the Sanitation Liquid Waste Fund for purposes of the Department of Public Works, and reducing certain other accounts for that agency.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.01 (j) of the City-County Annual Budget for 2007 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Department of Public Works for sewer

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related expenses in connection with the expansion of the Indianapolis International Airport and its impact on the Bridgeport Interceptor, financed by the Sanitation General Fund balance and \$1.1 million for sewer relocation expenses incurred in connection with work performed by the State for I-70 and I-465 reconstruction work, financed by reimbursements from the State of Indiana.

SECTION 2. The sum of Two Million Dollars (\$2,000,000) be, and the same is hereby transferred and appropriated for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>DEPARTMENT OF PUBLIC WORKS</u>	<u>SANITATION LIQUID WASTE FUND</u>
1. Personal Services	0
2. Supplies	0
3. Other Services and Charges	0
4. Capital Outlay	2,000,000
5. Internal Charges	<u>0</u>
TOTAL INCREASE	2,000,000

SECTION 4. The said increased appropriation is funded by the following reductions:

	<u>SANITATION LIQUID WASTE FUND</u>
Unappropriated and Unencumbered	
Sanitation Liquid Waste Fund	<u>2,000,000</u>
TOTAL REDUCTION	2,000,000

SECTION 5. In accordance with section 151-64 of the revised code of the Consolidated City and County, the following fund balance information is provided:

The 2006 ending fund balance for the Sanitation Liquid Waste Fund, as depicted in the 2007 budget ordinance (FO 89, 2006 page 44) was estimated to be \$34.5 million. Taking into consideration this fiscal proposal and other pending proposals, the fund balance as of December 31, 2007 is projected to be \$33.05 million.

SECTION 6. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 175, 2007. Councillor Sanders reported that the Administration and Finance Committee heard Proposal No. 175, 2007 on April 3, 2007. The proposal, sponsored by Councillors Sanders, Nytes, Franklin, Borst, Plowman, Gray, Brown and Conley, pproves an increase of \$4,200,000 in the 2007 Budget of the Information Services Agency (Auditor's Endorsement Fee, County Sales Disclosure, Enhanced Access, Redevelopment Tax Increment Bonds of 1992, Storm Water Management Utility and County Records Perpetuation Funds) to pay for a new property system that improves property valuation and assessment trending, generates uniform tax bills and meets state requirements for an integrated process among the Assessor, Treasurer and Auditor of Marion County, financed by fund balances and an interfund loan. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

President Gray called for public testimony at 8:36 p.m. There being no one present to testify, Councillor Sanders moved, seconded by Councillor Conley, for adoption. Proposal No. 175, 2007 was adopted on the following roll call vote; viz:

24 YEAS: *Abduallah, Bateman, Borst, Boyd, Brown, Conley, Day, Franklin, Gibson, Gray, Keller, Langsford, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Pryor, Sanders, Speedy, Vaughn*
5 NAYS: *Cain, Cockrum, Randolph, Salisbury, Schneider*

Proposal No. 175, 2007 was retitled FISCAL ORDINANCE NO. 36, 2007, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 36, 2007

A FISCAL ORDINANCE amending the City-County Annual Budget for 2007 (City-County Fiscal Ordinances No. 87, 2006 and No. 89, 2006) appropriating Four Million Two Hundred Thousand Dollars (\$4,200,000) in the Information Services Internal Services Fund for purposes of the Information Services Agency.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1 (a) of Fiscal Ordinance 87, 2006 and Section 1.04 (o) of Fiscal Ordinance 89, 2006 the City-County Annual Budget for 2007 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Information Services Agency to fund a new property system that improves property valuation and assessment trending, generates uniform tax bills and meets state requirements for an integrated process among the Assessor, Treasurer and Auditor of Marion County, financed by cash transfers between funds, as shown in Section 4.

SECTION 2. The sum of Four Million Two Hundred Thousand Dollars (\$4,200,000) be, and the same is hereby transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

<u>INFORMATION SERVICES AGENCY</u>	<u>INFORMATION SERVICES INTERNAL SERVICES FUND</u>
1. Services	0
2. Supplies	0
3. Other Services and Charges	4,200,000
4. Capital Outlay	0
TOTAL INCREASE	4,200,000

SECTION 4. The following amounts are hereby transferred to the Information Services Internal Services Fund from the cash balances of the funds shown below:

AUDITOR'S ENDORSEMENT FEE FUND - \$1,000,000
COUNTY SALES DISCLOSURE FEE FUND - \$500,000
ENHANCED ACCESS FUND - \$400,000
REDEVELOPMENT TIF REVENUE BONDS FUND - \$500,000
STORM WATER MANAGEMENT UTILITY FUND - \$300,000
COUNTY RECORDER'S PERPETUATION FUND - \$1,500,000

SECTION 5. In accordance with section 151-64 of the revised code of the Consolidated City and County, the following fund balance information is provided:

The 2006 fund balances for each of the funds, as depicted in the 2007 budget ordinance (FO 87, 2006 and 89, 2006) and the estimated 2007 ending fund balances, after deducting the appropriations included in this and other pending proposals are estimated at the following levels:

Estimated 2007 Fund	2006 Ending Balance	Ending Balance
AUDITOR'S ENDORSEMENT FEE FUND	1,239,045	489,032
COUNTY SALES DISCLOSURE FEE	524,316	135,264
ENHANCED ACCESS FUND	554,319	385,029
REDEVELOPMENT TIF REVENUE BONDS FUND	83,687,491	87,039,300
STORM WATER MANAGEMENT UTILITY FUND	12,251,716	19,539,807
COUNTY RECORDER'S PERPETUATION FUND	5,073,955	2,800,323

SECTION 6. Pursuant to Section 36-2-7-10(d) of the Indiana Code, the Marion County Recorder is authorized to use any money in the Records Perpetuation Fund without City-County Council appropriation for the preservation of records and the improvement of record-keeping systems and equipment.

The Marion County Recorder finds that the primary purpose of the Records Perpetuation Fund is to facilitate the improvement of the record-keeping systems and equipment specific to the statutory duties of the Marion County Recorder. The Marion County Recorder also ardently supports the improvement of the Marion

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County records systems and related technology in general, and finds it necessary to develop a new property system for Marion County.

In order to fund a new property system for Marion County, the Marion County Recorder seeks to make a one-time contribution of \$1,500,000 by transfer from the County Recorder's Perpetuation Fund to the Marion County Information Services Internal Services Fund and supports the City-County Council's appropriation for that purpose.

SECTION 7. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

SPECIAL ORDERS - FINAL ADOPTION

PROPOSAL NO. 112, 2007. Councillor Moriarty Adams reported that the Public Safety and Criminal Justice Committee heard Proposal No. 112, 2007 on March 28, 2007. The proposal, sponsored by Councillors Moriarty Adams, Brown and Oliver, approves a transfer of \$47,600 in the 2007 Budget of the Marion County Justice Agency (Law Enforcement Fund) to fund a contract with IUPUI to extract and analyze data for the Juvenile Detention Alternatives Initiative (JDAI). By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it be stricken. Councillor Moriarty Adams moved, seconded by Councillor Gibson, to strike. Proposal No. 112, 2007 was stricken by a unanimous voice vote.

PROPOSAL NO. 154, 2007. Councillor Sanders reported that the Administration and Finance Committee heard Proposal No. 154, 2007 on April 3, 2007. The proposal, sponsored by Councillors Nytes, Conley, Sanders, Gray and Gibson, authorizes the issuance of up to \$10.9 million in refunding bonds to generate savings and provide funds for capital projects in the Airport Industrial Economic Development Allocation and Expansion Areas. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Sanders moved, seconded by Councillor Gibson, for adoption. Proposal No. 154, 2007 was adopted on the following roll call vote; viz:

28 YEAS: Abdullah, Bateman, Boyd, Brown, Cain, Cockrum, Conley, Day, Franklin, Gibson, Gray, Keller, Langsford, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Pryor, Randolph, Salisbury, Sanders, Schneider, Speedy, Vaughn
0 NAYS:
1 NOT VOTING: Borst

Proposal No. 154, 2007 was retitled GENERAL RESOLUTION NO. 4, 2007, and reads as follows:

CITY-COUNTY GENERAL RESOLUTION NO. 4, 2007

A GENERAL RESOLUTION approving the issuance of special taxing district refunding bonds of the Redevelopment District of the City of Indianapolis, Indiana (the "City"), payable from taxes on real property located in the Airport Industrial Economic Development Allocation Area and the Airport Industrial Economic Development Expansion Allocation Area allocated and deposited into the Airport Industrial Economic Development Allocation Area Fund and the Airport Industrial Economic Development Expansion Allocation Area Fund, respectively, pursuant to the provisions of Indiana Code 36-7-15.1-26, and approving other matters related thereto.

WHEREAS, the Metropolitan Development Commission of Marion County, Indiana, acting as the Redevelopment Commission of the City of Indianapolis, Indiana (the "Commission"), has previously created the Airport Industrial Economic Development Area and the Airport Industrial Economic Development Expansion Area (collectively, the "Areas"), pursuant to the provisions of Indiana Code 36-7-15.1; and

WHEREAS, the Commission, being the governing body of the Redevelopment District of the City of Indianapolis, Indiana (the "District"), desires to issue bonds of the District to refund certain outstanding

bonds of the District, originally issued to finance or refinance projects in or benefiting the Areas, to realize a substantial savings to the District; and

WHEREAS, Indiana Code 36-3-5-8 requires the City-County Council of Indianapolis and of Marion County (the "City-County Council") to approve the issuance of bonds by any special taxing district of the City; and

WHEREAS, the District is a special taxing district of the City pursuant to statute; and

WHEREAS, Indiana Code 5-1.4 provides that a "qualified entity," which term includes the District, may issue and sell its bonds or notes to The Indianapolis Local Public Improvement Bond Bank (the "Bond Bank"); and

WHEREAS, the Executive Director of the Bond Bank has expressed a willingness to purchase the Refunding Bonds (defined below) in a negotiated sale subject to approval by the Board of Directors of the Bond Bank; and

WHEREAS, the Commission has adopted a bond resolution ("Bond Resolution") authorizing the issuance of the special taxing district refunding bonds of the District (the "Refunding Bonds"), to be issued in the aggregate principal amount not to exceed Ten Million Nine Hundred Thousand Dollars (\$10,900,000), the principal of and interest on which are payable solely from taxes on real property located in the Airport Industrial Economic Development Allocation Area and the Airport Industrial Economic Development Expansion Allocation Area (collectively, the "Allocation Areas") allocated and deposited into the Airport Industrial Economic Development Allocation Area Fund and the Airport Industrial Economic Development Expansion Allocation Area Fund (collectively, the "Allocation Funds"), respectively, pursuant to the provisions of Indiana Code 36-7-15.1-26, for the purpose of procuring funds to apply to the cost of refunding the City of Indianapolis Redevelopment District Tax Increment Revenue Bonds, Series 2000A (the "Series 2000A Bonds") outstanding in the principal amount of \$8,935,000, together with expenses on account of the issuance thereof; and

WHEREAS, the issuance of the Refunding Bonds is expected to result in a net present value savings to the District; and

WHEREAS, the Commission has requested the approval of the City-County Council for the issuance of the Refunding Bonds pursuant to Indiana Code 36-3-5-8, and the City-County Council now finds that the issuance of the Refunding Bonds should be approved; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The City-County Council does hereby approve (i) the Bond Resolution and (ii) the issuance of the Refunding Bonds of the District payable solely from taxes on real property located in the Allocation Areas allocated and deposited into the respective Allocation Funds pursuant to the provisions of Indiana Code 36-7-15.1-26, in an aggregate principal amount not to exceed Ten Million Nine Hundred Thousand Dollars (\$10,900,000), to apply to the refunding of the Series 2000A Bonds and funding costs of issuance thereof.

SECTION 2. This resolution shall be in full force and effect upon adoption and compliance with Indiana Code 36-3-4-14, 36-3-4-15 and 36-3-4-16.

PROPOSAL NO. 158, 2007. Councillor Boyd reported that the Rules and Public Policy Committee heard Proposal No. 158, 2007 on March 27, 2007. The proposal, sponsored by Councillors Gray, Sanders, Conley, Brown, Abdullah, Franklin, Mahern, Mansfield, Moriarty Adams, Nytes, Oliver, Pryor, Keller and Langsford, approves the consolidation of the Warren Township Fire Department into the Indianapolis Fire Department on the effective date of July 1, 2007. By a 5-2 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Boyd moved, seconded by Councillor Gibson, for adoption. Proposal No. 158, 2007 was adopted on the following roll call vote; viz:

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21 YEAS: *Abduallah, Bateman, Boyd, Brown, Conley, Franklin, Gibson, Gray, Keller, Langsford, Mahern, Mansfield, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Pryor, Randolph, Sanders, Vaughn*

8 NAYS: *Borst, Cain, Cockrum, Day, McWhirter, Salisbury, Schneider, Speedy*

Proposal No. 158, 2007 was retitled GENERAL ORDINANCE NO. 21, 2007, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 21, 2007

PROPOSAL FOR A GENERAL ORDINANCE to approve the consolidation of the Warren Township Fire Department with the Indianapolis Fire Department on the effective date of July 1, 2007;

WITNESSETH THAT:

WHEREAS, substantial operational efficiencies, a reduction of administrative costs, and economies of scale may be obtained through the consolidation of certain functions of local units of government; and

WHEREAS, the territory of the Fire Special Service District overlaps a portion of Warren Township, which results in fire protection services in the Township being provided in part by the Warren Township Fire Department and in part by the Indianapolis Fire Department; and

WHEREAS, the fire protection service needs throughout Warren Township are not so varied or dissimilar that their provision by both the Warren Township Fire Department and the Indianapolis Fire Department is required or justified; and

WHEREAS, Indiana statutes authorize the consolidation of a township fire department located in the county into the Indianapolis Fire Department; and

WHEREAS, the Warren Township Board resolved and adopted a Resolution approving the consolidation of the Warren Township Fire Department into the Indianapolis Fire Department on the effective date of July 1, 2007, subject to the provisions of Indiana Code § 36-3-1-6.1, and forwarded such Resolution to the city-county council; and

WHEREAS, the Warren Township Trustee also approved the consolidation of the Warren Township Fire Department into the Indianapolis Fire Department as provided in the Warren Township Board's Resolution, and subject to the provisions of Indiana Code § 36-3-1-6.1; and

WHEREAS, the city-county council, having been advised by various persons and organizations with respect to the anticipated consequences of such a consolidation, now finds that such consolidation will serve the public interest by resulting in the provision of an enhanced level of public safety and fire protection services, with greater efficiency and at a lower cost; now, therefore,

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Warren Township Fire Department of Warren Township, Marion County (hereinafter referred to as "Warren FD"), shall be and hereby is consolidated into the Indianapolis Fire Department (hereinafter referred to as the "IFD") effective at 12:00:01 a.m. local time on July 1, 2007 (hereinafter referred to as the "effective date"), subject to the provisions of Indiana Code § 36-3-1-6.1. Beginning on the effective date, the IFD shall provide fire protection services within the geographic area of Warren Township previously served by the Warren FD.

SECTION 2. On the effective date and subject to Section 6 below, all of the real property used as the Warren FD fire stations, as well as all personal property, equipment, records, rights, and contracts of the Township, for and on behalf of the Warren FD, are transferred to and/or assumed by the City, for and on behalf of the IFD. Such real and personal property is set forth as follows:

I. REAL AND PHYSICAL PROPERTY

The real and physical property of the Township shall be divided as follows:

- (a) The Township shall retain title to the following real property:

- (1) The Warren Government Center at 501 North Post Road; and
 - (2) Parcel 7037913, located at 700 South German Church Road.
- (b) The City shall acquire title to the following real property, as well as all physical assets contained therein:
- (1) The fire station at 10750 East 10th Street (Station 441);
 - (2) The fire station at 1302 South Franklin Road (Station 442);
 - (3) The fire station at 7604 East 10th Street (Station 443);
 - (4) The fire station at 7345 East 30th Street (Station 444);
 - (5) The fire station at 10601 East 30th Street (Station 445); and
 - (6) Maintenance facility at 7403 East 30th Street.
 - (7) Block “M” of The Woods at Grassy Creek – Section Two, an Addition to Warren Township, Marion County, Indiana, the plat of which was recorded July 26, 2005, as Instrument No. 2005-118242 in the Office of the Recorder of Marion County, Indiana.
- (c) The City shall acquire ownership of all other Township assets necessary for the continuation of fire and ambulance service within the former Warren FD jurisdiction and/or such other assets used for the fire and ambulance service. Such assets include but are not limited to office equipment (e.g., computers, telephones, pagers, cell phones) assigned to Warren FD employees as of March 1, 2007, office furniture in offices assigned to Warren FD employees, the Fire Safety Trailer and SCBA testing equipment.
- (d) The Township shall retain title to all other non-scheduled Township assets used for civil government purposes and/or not solely used for the fire service.

II. VEHICLES

The vehicles and apparatus owned by the Township shall be divided as follows:

- (a) The Township shall retain title to the following vehicles:
 - (1) The antique fire engine stored at Station 442 as of March 20, 2007;
 - (2) Vehicle C402; and
 - (3) Vehicle C404.
- (b) Title of all other vehicles owned by the Township shall be transferred to the City upon the effective date of consolidation.

III. COMMUNITY INVOLVEMENT

The following community activities shall continue as provided in this general ordinance:

- (a) Firefighter For A Day Camp;
- (b) Permanent Fitting Station for Car Seats;
- (c) Safety Trailer;
- (d) Fire House Tours;
- (e) Fire Prevention Week Coloring Contest;
- (f) Fire Safety Education in Schools;

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- (g) First Grade Safety Program; and
- (h) Warren Cares (assistance to families in need).

The Township commits to retaining ownership and maintaining in good repair all such property owned by the Township or by the Warren FD on March 20, 2007, continuously from that date until the effective date of consolidation. The Township further commits to advise and obtain the written approval of the IFD Chief regarding any acquisition of property, or any agreement to acquire or dispose of property entered into, from March 20, 2007 until the effective date of consolidation. IFD shall continue to operate the fire stations and maintain and staff the fire apparatus currently maintained by Warren FD at the same staffing levels as Warren FD as of March 20, 2007 until there is countywide fire consolidation or December 31, 2008, whichever is earlier. Prior to countywide consolidation or December 31, 2008, equipment and staffing within the former Warren FD jurisdiction may be moved within the former Warren FD jurisdiction, but may be moved outside the former Warren FD jurisdiction only with the approval of the Township Trustee and Board.

SECTION 3. On the effective date, the Township Board shall cease to have any authority over Warren FD, including its budget, except as set forth in this general ordinance. All responsibility and authority for the consolidated department shall rest with IFD, the City's Department of Public Safety, the City Controller, the Mayor, and the City-County Council.

SECTION 4. On the effective date, the employees of the Warren FD shall cease employment with the Warren FD and become employees of the IFD. In this regard, the City shall assume all agreements with labor organizations that are in effect on the effective date of such consolidation and that apply to the employees of the Warren FD who become employees of the IFD. Further in this regard, the Township commits to advise and consult with the IFD Chief regarding any termination, layoff, or other reduction in force of Warren FD employees, the employment of any additional Warren FD personnel, or the promotion of any Warren FD personnel from March 20, 2007 until the effective date of consolidation.

SECTION 5. On the effective date, the duties of the Warren FD merit board are transferred to and assumed by the City's civilian fire merit board.

SECTION 6. Upon consolidation, any indebtedness related to fire protection services incurred prior to the effective date by the Township, or by any entity on behalf of the Township, shall remain the debt of the Township and does not become a debt of, and may not be assumed by, the City. Such indebtedness shall include, but not be limited to all personnel costs, utility expenses, legal claims and other expenses of providing fire protection service incurred through June 30, 2007. In this regard, any indebtedness related to fire protection services incurred prior to the effective date by the City shall remain the debt of the City, and property taxes levied to pay such debt may only be levied by the City's fire special service district or the consolidated fire district as it existed before July 1, 2007.

SECTION 7. Upon consolidation, the Township shall retain all cash assets and investments, and the right to receive all tax levies, assessments and other tax distributions due and payable prior to July 1, 2007, whether or not such sums are paid to the Township prior to that date. The Township shall use any cash assets, investments, tax levies, assessments and other tax distributions designated for firefighting purposes, including, but not limited to, firefighting funds and fire cumulative funds, to pay any indebtedness described in SECTION 6 of this general ordinance. The Township may then use any remaining cash assets, investments, tax levies, assessments and revenues designated for the fire cumulative and fire equipment and building debt funds for any purpose permitted by law when the purposes of a tax levy have been fulfilled and an unused and unencumbered balance remains in the fund. The Township shall transfer any remaining cash assets, investments, tax levies, assessments and revenues designated for the fire fighting and fire pension funds to the City.

SECTION 8. Upon consolidation, the Township shall transfer and remit to the City any and all receivables owed and revenues collected for the Township for obligations that become due and payable on or after July 1, 2007, budgeted or to have been used in connection with firefighting operations and pensions, including but not limited to cash assets, investments, tax levies, assessments and other tax distributions.

SECTION 9. Upon consolidation, a Warren FD firefighter who was a member of either the 1937 firefighters' pension fund or the 1977 police officers' and firefighters' pension and disability fund prior to the effective date, remains a member of his or her respective fund, and shall receive credit for any service as a member of such fund prior to the effective date, as provided in Indiana Code § 36-3-1-6.1, subsections (h)(2) and (h)(3).

SECTION 10. On the effective date, the Township's local boards for the 1937 firefighters' pension or the 1977 police officers' and firefighters' pension and disability fund are dissolved and their services are terminated, as provided in Indiana Code § 36-3-1-6.1, subsection (h)(6). The duties performed by such local

boards under Indiana Code Chapter 36-8-7 and Indiana Code Chapter 36-8-8, respectively, are assumed by the City's local boards.

SECTION 11. Upon consolidation, property taxes to fund the pension obligation under Indiana Code Chapter 36-8-7 for members of the 1937 firefighters fund and to fund the obligation under Indiana Code Chapter 36-8-8 for members of the 1977 police officers' and firefighters pension and disability fund who were members of IFD on December 31, 2006 may be levied only by the fire special service district within the fire special service district. Property taxes to fund the pension obligation for members of the 1937 firefighters fund and members of the 1977 police officers' and firefighters pension and disability fund who were not members of the fire department of the consolidated city on December 31, 2006 may be levied by the consolidated city within the city's maximum permissible ad valorem property tax levy within the fire special service district and the townships whose departments have been consolidated into the fire department of the consolidated city as provided in Indiana Code § 36-3-1-6.1(h)(7).

SECTION 12. Upon consolidation, the maximum permissible ad valorem property tax levy for fire protection and related services for the Township under Indiana Code Chapter 6-1.1-18.5 for property taxes first due and payable in 2008, is reduced for the Township by the amount equal to the maximum permissible ad valorem property tax levy in 2007 for fire protection and related services for the Township, and such levy is transferred to the consolidated city as provided in Indiana Code § 36-3-1-6.1, subsection (h)(4)(B).

SECTION 13. Upon consolidation, the ad valorem property tax levy for the Township's fire cumulative building and equipment fund for property taxes first due and payable in 2008, is reduced for the Township by the amount equal to the property tax levy in 2007 for the Township's fire cumulative building and equipment fund and such levy is transferred to the consolidated city as provided in Indiana Code § 36-3-1-6.1, subsection (h)(5).

SECTION 14. The Township currently uses its certified monthly distribution of the county option income tax (hereinafter referred to as "COIT") to pay the costs of operating Warren FD. The Township and the City shall enter into an interlocal agreement regarding the transfer of COIT used to pay the costs of operating the Warren FD to the City for the cost of operating IFD in the Township.

SECTION 15. Upon consolidation and through December 31, 2008, or until a countywide fire department is created, whichever occurs earlier, the property tax rate for fire service of residents of the Township who were previously provided fire protection service by Warren FD shall not be increased for fire operations. Upon the expiration of this term or the creation of a countywide fire department, whichever is earlier, the property tax rate for fire protection service paid by Township residents previously served by Warren FD may be modified by the City and City-County Council.

SECTION 16. Upon consolidation, the City shall establish, operate, and maintain fire-based emergency ambulance services in that part of the Township currently served by Warren FD, as provided in Indiana Code § 36-3-1-6.2.

SECTION 17. Upon consolidation, Warren FD firefighters, who are currently represented by Local 416-Warren Township, shall continue to be represented by Local 416 so long as Local 416 is the chosen bargaining representative of the firefighters of the consolidated department. The working conditions contained in the current collective bargaining agreement between Local 416 and IFD and IFD's rules and regulations shall apply to the Warren FD firefighters, including the staffing levels set forth in that agreement.

SECTION 18. Salaries of Warren FD firefighters shall be consistent with IFD on the effective date. This provision does not limit the ability of Local 416 and the City to negotiate regarding firefighter wages and benefits. Further, because the Warren FD civilian paramedics are represented by Local 416, nothing in this general ordinance limits the ability of the City and Local 416 to negotiate regarding working conditions or wages and benefits for those Warren FD civilian paramedics who become IFD employees as a result of consolidation.

SECTION 19. Upon consolidation and until such time as determined by the IFD Chief, the Board and Trustee, the current community activities of the Warren FD set forth in SECTION 2 of this general ordinance shall continue.

SECTION 20. Upon consolidation IFD shall provide fire protection service to the town of Cumberland in a manner substantially similar to the manner in which Warren FD currently provides such service, subject to any terms that may be negotiated by IFD and Cumberland.

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SECTION 21. Upon consolidation, the Township shall transfer title to the real property described as Block "M" of The Woods at Grassy Creek – Section Two, an Addition to Warren Township, Marion County, Indiana, the plat of which was recorded July 26, 2005, as Instrument No. 2005-118242 in the Office of the Recorder of Marion County, Indiana.

SECTION 22. The expressed or implied repeal or amendment by this ordinance of any other ordinance or part of any other ordinance does not affect any rights or liabilities accrued, penalties incurred, or proceedings begun prior to the effective date of this ordinance. Those rights, liabilities, and proceedings are continued, and penalties shall be imposed and enforced under the repealed or amended ordinance as if this ordinance had not been adopted.

SECTION 23. Should any provision (section, paragraph, sentence, clause, or any other portion) of this ordinance be declared by a court of competent jurisdiction to be invalid for any reason, the remaining provision or provisions shall not be affected, if and only if such remaining provisions can, without the invalid provision or provisions, be given the effect intended by the Council in adopting this ordinance. To this end the provisions of this ordinance are severable.

SECTION 24. This ordinance shall be in effect from and after its passage by the Council and compliance with Ind. Code § 36-3-4-14.

PROPOSAL NO. 161, 2007. Councillor Conley reported that the Public Works Committee heard Proposal No. 161, 2007 on April 5, 2007. The proposal, sponsored by Councillors Conley and Borst, establishes that the City-County Council is interested in making the purchase of easements on real estate currently owned by Thomas Professional Building, Inc., which are necessary for the construction of sewers on the Bangor-Delaware Septic Tank Elimination Project. By an 8-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Conley moved, seconded by Councillor Borst, for adoption. Proposal No. 161, 2007 was adopted on the following roll call vote; viz:

26 YEAS: Abdullah, Bateman, Borst, Boyd, Brown, Cain, Cockrum, Conley, Day, Gray, Keller, Langsford, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Pryor, Randolph, Salisbury, Sanders, Schneider, Vaughn
0 NAYS:
3 NOT VOTING: Franklin, Gibson, Speedy

Proposal No. 161, 2007 was retitled GENERAL RESOLUTION NO. 5, 2007, and reads as follows:

CITY-COUNTY GENERAL RESOLUTION NO. 5, 2007

A GENERAL RESOLUTION establishing that the City-County Council of the City of Indianapolis and Marion County, Indiana, is interested in making the purchase of specified land.

WHEREAS, the City-County Council of the City of Indianapolis and Marion County, Indiana, ("City-County Council") is the fiscal body of the City of Indianapolis pursuant to IC 36-1-10.5-1, et seq; and

WHEREAS, pursuant to IC 36-1-10.5-5 the City of Indianapolis may purchase land only after the City-County Council passes a resolution to the effect that the City-County Council is interested in making a purchase of specified land; and

WHEREAS, the City of Indianapolis wishes to purchase permanent sanitary sewer and temporary construction easements upon a particular parcel of real estate located in Marion County, which are described in Exhibit "A", which is attached hereto and incorporated herein, ("Real Estate Easements"); and

WHEREAS, the project for which these easements are being obtained is designed to provide sewer service more than 500 homes and businesses of the Bangor-Delaware area; and

WHEREAS, the City-County Council, having considered the acquisition of the Real Estate Easements and being duly advised, finds that the City-County Council has an interest in acquiring the Real Estate Easements; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:

SECTION 1. The City-County Council hereby establishes that the City-County Council has an interest in acquiring the Real Estate Easements described in Exhibit "A" (a copy of which is attached to the official copy of the resolution on file with the Clerk of the Council).

SECTION 2. For purposes of Revised Code Sec. 151-66 the Real Estate is owned by Thomas Professional Building, Inc., through a Quitclaim Deed which was recorded in the office of the Marion County Recorder as Instrument Number 2006-0168999.

SECTION 3. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Councillor Conley reported that the Public Works Committee heard Proposal Nos. 170-173, 2007 on April 5, 2007. He asked for consent to vote on these proposals together. Consent was given.

PROPOSAL NO. 170, 2007. The proposal, sponsored by Councillors Sanders, Conley, Nytes, Langsford, Brown and Gray, authorizes certain actions and agreements related to the financing of the purchase of motor vehicle fuel for the Department of Public Works, Fleet Services Division until December 31, 2008. PROPOSAL NO. 171, 2007. The proposal, sponsored by Councillors Pfisterer and Conley, authorizes no parking restrictions on 20th Street from Luett Avenue to Tibbs Avenue (District 14). PROPOSAL NO. 172, 2007. The proposal, sponsored by Councillors Abdullah and Conley, authorizes no parking restrictions on Belmont Avenue and a multi-way stop at the intersection of 12th Street and Belmont (District 15). PROPOSAL NO. 173, 2007. The proposal, sponsored by Councillor Abdullah, uthorizes parking meters and the relocation of a bus zone on Ohio Street near Alabama Street (District 15). By 8-0 votes, the Committee reported the proposals to the Council with the recommendation that they do pass. Councillor Conley moved, seconded by Councillor Gibson, for adoption. Proposal Nos. 170-173, 2007 were adopted on the following roll call vote; viz:

29 YEAS: Abdullah, Bateman, Borst, Boyd, Brown, Cain, Cockrum, Conley, Day, Franklin, Gibson, Gray, Keller, Langsford, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Pryor, Randolph, Salisbury, Sanders, Schneider, Speedy
0 NAYS:

Proposal No. 170, 2007 was retitled GENERAL RESOLUTION NO. 6, 2007, and reads as follows:

CITY-COUNTY GENERAL RESOLUTION NO. 6, 2007

A GENERAL RESOLUTION approving and authorizing certain actions and, as necessary, agreements related to the financing of the purchase of motor vehicle fuel for the Department of Public Works, Fleet Services Division.

WHEREAS, the City-County Council of the City of Indianapolis and Marion County, Indiana (the "City-County Council") is the fiscal body of the City of Indianapolis and Marion County, Indiana (the "City"); and

WHEREAS, the availability of affordable motor vehicle fuel is critical to the City of Indianapolis and Marion County, Indiana, in providing public services to its citizens and to ensure the safety and well-being of its residents; and

WHEREAS, the market-driven volatility of motor vehicle fuel prices presents a substantial risk to the motor vehicle fuel budget of the City, which may require the appropriation of additional funds for the purchase of motor vehicle fuel should prices increase beyond the amount of funds which have been appropriated to the Department of Public Works, Fleet Services Division; and

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WHEREAS, current market conditions limit the ability of the City to secure motor vehicle fuel with qualified suppliers of motor vehicle fuel in a manner which minimizes the adverse impacts of the volatile fuel market on the budget for the City; and

WHEREAS, for purposes of this resolution motor vehicle fuel is defined to include purchases of gasoline and diesel fuel; and

WHEREAS, Indiana Code 5-1.4 provides that a "qualified entity," which term includes the City, may enter into purchase agreements and other agreements as necessary with The Indianapolis Local Public Improvement Bond Bank (the "Bond Bank"); and

WHEREAS, the Executive Director of the Bond Bank has expressed a willingness to submit request for proposals ("RFPs") to credit worthy counterparties and to enter into related agreements, subject to the approval of the Board of Directors of the Bond Bank, for the purpose of stabilizing the City's motor vehicle fuel budget by establishing a fixed-price rather than a market-price for motor vehicle fuel; and

WHEREAS, the Department of Public Works Board of Public Works (the "Board") has adopted one or more resolutions authorizing motor vehicle fuel purchase agreements for the Fleet Services Division of the City; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:

SECTION 1. The City-County Council does hereby approve the City to enter into certain agreements with the Bond Bank to hedge the price associated with the purchase of motor vehicle fuel for the Department of Public Works, Fleet Services Division, and the entry into standard fuel hedge agreements related thereto, that will manage and mitigate the volatility of motor vehicle fuel prices in order to result in budget stability to the City through December 31, 2008.

SECTION 2. That the motor vehicle fuel hedging agreements authorized will be payable from and will not exceed the current amount appropriated for motor vehicle fuel for the Department of Public Works, Fleet Services Division.

SECTION 3. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 171, 2007 was retitled GENERAL ORDINANCE NO. 22, 2007, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 22, 2007

A GENERAL ORDINANCE amending the "Revised Code of the Consolidated City and County," Sec. 621-121, Parking prohibited at all times on certain streets.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. That the Revised Code of the Consolidated City and County, Indianapolis/Marion County, Indiana, specifically Sec. 621-121, Parking prohibited at all times on certain streets, be, and the same is hereby amended by the addition of the following, to wit:

Twentieth Street, on both sides, from
Luett Avenue to Tibbs Avenue

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 172, 2007 was retitled GENERAL ORDINANCE NO. 23, 2007, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 23, 2007

A GENERAL ORDINANCE amending the “Revised Code of the Consolidated City and County,” Sec. 621-121, Parking prohibited at all times on certain streets, and Sec. 441-416, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The “Revised Code of the Consolidated City and County,” specifically, Sec. 621-121, Parking prohibited at all times on certain streets, be and the same is hereby amended by the addition of the following, to wit:

Belmont Avenue, on the east side,
From 12th Street to White River Parkway West Drive

SECTION 2. The “Revised Code of the Consolidated City and County,” specifically, Sec. 441-416, Schedule of intersection controls, be and the same is hereby amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
24	12 th St Belmont Ave	Belmont Ave	Stop

SECTION 3. The “Revised Code of the Consolidated City and County,” specifically, Sec. 441-416, Schedule of intersection controls, be and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
24	12 th St Belmont Ave	None	All Way Stop

SECTION 4. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 173, 2007 was retitled GENERAL ORDINANCE NO. 24, 2007, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 24, 2007

A GENERAL ORDINANCE amending the “Revised Code of the Consolidated City and County,” Sec. 621-125, Stopping, standing and parking prohibited at designated locations on certain days and hours, and Sec. 621-402, Bus stop and trolley stop zones.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The “Revised Code of the Consolidated City and County,” specifically, Sec. 621-125, Stopping, standing and parking prohibited at designated locations on certain days and hours, be and the same is hereby amended by the deletion of the following, to wit:

**ON ANY DAY
EXCEPT SATURDAY AND SUNDAY
FROM 6:00 A.M. TO 9:00 A.M.**

Ohio Street, on the north side, from
Hudson Street to East Street

SECTION 2. The “Revised Code of the Consolidated City and County,” specifically, Sec. 621-125, Stopping, standing and parking prohibited at designated locations on certain days and hours, be and the same is hereby amended by the addition of the following, to wit:

**ON ANY DAY
EXCEPT SATURDAY AND SUNDAY
FROM 6:00 A.M. TO 9:00 A.M.**

Ohio Street, on the north side, from
Delaware Street to East Street

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SECTION 3. The "Revised Code of the Consolidated City and County," specifically, Sec. 621-402, Bus stop and trolley stop zones, be and the same is hereby amended by the addition of the following, to wit:

Bus Stop Zones

Ohio Street, on the north side,
From a point 92 feet west of Alabama Street to Alabama Street

SECTION 4. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

ANNOUNCEMENTS AND ADJOURNMENT

The President said that the docketed agenda for this meeting of the Council having been completed, the Chair would entertain motions for adjournment.

Councillor Boyd stated that he had been asked to offer the following motion for adjournment by:

- (1) Councillor Cockrum in memory of Anna Holliday; and
- (2) Councillor Sanders in memory of Fred Simpson and Dr. Loren Martin; and
- (3) Councillor Day in memory of Hazel Laurens; and
- (4) Councillors Brown and Gray in memory of Jamitra Mitchell; and
- (5) Councillor Gray in memory of Ethel B. Levengood; and
- (6) Councillor Oliver in memory of Henry C. "Ro" Roach and James Cowherd, Jr.

Councillor Boyd moved the adjournment of this meeting of the Indianapolis City-County Council in recognition of and respect for the life and contributions of Anna Holliday, Fred Simpson, Dr. Loren Martin, Hazel Laurens, Jamitra Mitchell, Ethel B. Levengood, Henry C. "Ro" Roach, James Cowherd and Jr.. He respectfully asked the support of fellow Councillors. He further requested that the motion be made a part of the permanent records of this body and that a letter bearing the Council seal and the signature of the President be sent to the families advising of this action.

There being no further business, and upon motion duly made and seconded, the meeting adjourned at 9:08 p.m.

We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the regular concurrent meetings of the City-Council of Indianapolis-Marion County, Indiana, and Indianapolis Police, Fire and Solid Waste Collection Special Service District Councils on the 16th day of April, 2007.

In Witness Whereof, we have hereunto subscribed our signatures and caused the Seal of the City of Indianapolis to be affixed.

President

ATTEST:

Clerk of the Council

(SEAL)

